

AGE DISCRIMINATION

I became employed at the Massachusetts Water Resources Authority in 1989 when I was 52 years of age. At that time the Authority was in operation for just about two years and was still doing a lot of new hires. After being fully staffed the MWRA changed their hiring methods.

I worked at the MWRA for 10 ½ years, during that time I applied unsuccessfully for 24 upgraded positions within the Authority, one upgrade within my Department, and I even applied for one or two lateral transfers with the hope I would have a better chance of being upgraded if I were in a different department.

I took all the Computer Classes that were offered and tried to do all the right things to assure I was qualified for the positions I was applying for. I even took a class in Shorthand at Catherine Gibbs Secretarial School in Boston.

I went to my Union for assistance, they said I needed to speak to my Department Manager, when I went to my Department Manager, he said I needed to go to the Union. I even went to Affirmative Action to no avail. I received the Royal Run-around.

I filed a grievance with the Union, after several months of no response I contacted them and was informed my file was misplaced. No action on my grievance was ever taken.

There was even an occasion when I went to Vivienne Wright in Human Resources and asked the question "am I being Blackballed"?

In (I believe April) 1998 I even requested a Desk Audit. Tina Louise of Human Resources came to my desk and audited my responsibilities. I also had to give a description of the duties I performed and samples of my work. When I met with her in her office I was informed that mine were the responsibilities of an Administrative Assistant and my title should be changed and upgraded. The Human Resources Department, Management and the Union dragged their heels on this for over a year. Finally, a year and half later in November of 1999 when I turned 62 years old I retired because I couldn't take anymore.

I lost a lot of monies by constantly being passed over. It affected both my salary and my Retirement. I had planned on working at the MWRA until I was at least 65 years of age. I am now working as a Bus Person in a Restaurant to make ends meet because I cannot survive on the Retirement Checks I receive monthly.

I have documentation that will support my allegations.

I swear to the best of my knowledge that what I have stated is true and there is more.

Barbara Higgins

P.O. Box 577
Sagamore Beach, MA 02562

DISMISSAL AND NOTICE OF RIGHTS

To: **Barbara Higgins**
42 Hunters Brook Rd.,
Sagamore Beach, MA 02562

From: **Boston Area Office**
John F. Kennedy Fed Bldg
Government Ctr, Room 475
Boston, MA 02203

☐ On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

EEOC Charge No.	EEOC Representative	Telephone No.
16C-1998-01697	Anne R. Giantonio, Intake Supervisor	(617) 565-3189

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- ☐ The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- ☐ Your allegations did not involve a disability as defined by the Americans with Disabilities Act.
- ☐ The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- ☐ Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.
- ☐ Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.
- ☐ While reasonable efforts were made to locate you, we were not able to do so.
- ☐ You were given 30 days to accept a reasonable settlement offer that affords full relief for the harm you alleged.
- ☐ The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- ☒ The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- ☐ Other (briefly state)


- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this Notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



Robert L. Sanders,
Area Office Director

Enclosure(s)

SEP 16 2004

(Date Mailed)

cc: **MASS-C MWRA**
100 First Ave.
Charlestown, MA 02129